



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB2401

Introduced 2/19/2009, by Rep. Lou Lang

SYNOPSIS AS INTRODUCED:

20 ILCS 1705/10.5
20 ILCS 2310/2310-312
110 ILCS 330/7
210 ILCS 85/6.23

Amends the Mental Health and Developmental Disabilities Administrative Act, the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois, the University of Illinois Hospital Act, and the Hospital Licensing Act. Provides that beginning January 1, 2010, and by January 1 of each year thereafter, the Department of Public Health shall make an annual report regarding the effectiveness of interventions in the prevention and control of Multidrug-Resistant Organisms. Requires that hospitals and the Department of Human Services, with respect to mental health and developmental centers under its jurisdiction, cooperate with the Department of Public Health to provide the information necessary to compile the reports. Effective immediately.

LRB096 08410 DRJ 18523 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Mental Health and Developmental
5 Disabilities Administrative Act is amended by changing Section
6 10.5 as follows:

7 (20 ILCS 1705/10.5)

8 Sec. 10.5. Prevention and control of Multidrug-Resistant
9 Organisms. The Department, in consultation with the Department
10 of Public Health, shall adopt rules that may require one or
11 more of the facilities described in Section 4 of this Act to
12 implement comprehensive interventions to prevent and control
13 multidrug-resistant organisms (MDROs), including
14 methicillin-resistant *Staphylococcus aureus* (MRSA),
15 vancomycin-resistant enterococci (VRE), and certain
16 gram-negative bacilli (GNB), pursuant to updated prevention
17 and control interventions recommended by the U.S. Centers for
18 Disease Control and Prevention. The Department shall also
19 require facilities to submit reports to the Department that
20 contain substantially the same information contained in the
21 related infection reports required to be submitted by hospitals
22 to the Department of Public Health under Section 25 of the
23 Hospital Report Card Act. The Department shall provide that

1 information to the Department of Public Health upon the
2 Department of Public Health's request. The Department shall
3 cooperate with the Department of Public Health to provide the
4 information necessary to enable that Department to compile the
5 reports due under paragraph (2.5) of Section 2310-312 of the
6 Department of Public Health Powers and Duties Law of the Civil
7 Administrative Code of Illinois.

8 (Source: P.A. 95-282, eff. 8-20-07.)

9 Section 10. The Department of Public Health Powers and
10 Duties Law of the Civil Administrative Code of Illinois is
11 amended by changing Section 2310-312 as follows:

12 (20 ILCS 2310/2310-312)

13 Sec. 2310-312. Multidrug-Resistant Organisms. The
14 Department shall perform the following functions in relation to
15 the prevention and control of Multidrug-Resistant Organisms
16 (MDROs), including methicillin-resistant Staphylococcus aureus
17 (MRSA), vancomycin-resistant (VRE) and certain gram-negative
18 bacilli (GNB), as these terms are referenced by the United
19 States Centers for Disease Control and Prevention:

20 (1) Except with regard to hospitals, for which
21 administrative rules shall be adopted in accordance with
22 Section 6.23 of the Hospital Licensing Act and Section 7 of
23 the University of Illinois Hospital Act, the Department
24 shall adopt administrative rules for health care

1 facilities subject to licensure, certification,
2 registration, or other regulation by the Department that
3 may require one or more types of those facilities to (i)
4 perform an annual infection control risk assessment, (ii)
5 develop infection control policies for MDROs that are based
6 on this assessment and incorporate, as appropriate,
7 updated recommendations of the U.S. Centers for Disease
8 Control and Prevention for the prevention and control of
9 MDROs, and (iii) enforce hand hygiene requirements.

10 (2) The Department shall:

11 (A) publicize guidelines for reducing the
12 incidence of MDROs to health care providers, health
13 care facilities, public health departments, prisons,
14 jails, and the general public; and

15 (B) provide periodic reports and updates to public
16 officials, health professionals, and the general
17 public statewide regarding new developments or
18 procedures concerning prevention and management of
19 infections due to MDROs.

20 (2.5) Beginning January 1, 2010, and by January 1 of
21 each year thereafter, the Department shall make an annual
22 report to the Governor and the General Assembly regarding
23 the effectiveness of interventions in the prevention and
24 control of MDROs in Illinois. The report shall include the
25 level of compliance by hospitals, and facilities under the
26 jurisdiction of the Department of Human Services described

1 in Section 4 of the Mental Health and Developmental
2 Disabilities Administrative Act, with the requirements of
3 this Section concerning risk assessment and with
4 enforcement of hand hygiene and contact precaution
5 requirements. The report shall also include
6 recommendations concerning additional standards and
7 procedures to improve performance.

8 (3) The Department shall publish a yearly report
9 regarding MRSA and Clostridium difficile infections based
10 on the Hospital Discharge Dataset. The Department is
11 authorized to require hospitals, based on guidelines
12 developed by the National Center for Health Statistics,
13 after October 1, 2007, to submit data to the Department
14 that is coded as "present on admission" and "occurred
15 during the stay".

16 (4) Reporting to the Department under the Hospital
17 Report Card Act shall include organisms, including but not
18 limited to MRSA, that are responsible for central venous
19 catheter-associated bloodstream infections and
20 ventilator-associated pneumonia in designated hospital
21 units.

22 (5) The Department shall implement surveillance for
23 designated cases of community associated MRSA infections
24 for a period of at least 3 years, beginning on or before
25 January 1, 2008.

26 (Source: P.A. 95-282, eff. 8-20-07.)

1 Section 15. The University of Illinois Hospital Act is
2 amended by changing Section 7 as follows:

3 (110 ILCS 330/7)

4 Sec. 7. Prevention and control for Multidrug-Resistant
5 Organisms. The University of Illinois Hospital shall develop
6 and implement comprehensive interventions to prevent and
7 control multidrug-resistant organisms (MDROs), including
8 methicillin-resistant Staphylococcus aureus (MRSA),
9 vancomycin-resistant enterococci (VRE), and certain
10 gram-negative bacilli (GNB), that take into consideration
11 guidelines of the U.S. Centers for Disease Control and
12 Prevention for the management of MDROs in healthcare settings.
13 The Department of Public Health shall adopt administrative
14 rules that require the University of Illinois Hospital to
15 perform an annual facility-wide infection control risk
16 assessment and enforce hand hygiene and contact precaution
17 requirements. The University of Illinois Hospital shall
18 cooperate with the Department of Public Health to provide the
19 information necessary to enable that Department to compile the
20 reports due under paragraph (2.5) of Section 2310-312 of the
21 Department of Public Health Powers and Duties Law of the Civil
22 Administrative Code of Illinois.

23 (Source: P.A. 95-282, eff. 8-20-07.)

1 Section 20. The Hospital Licensing Act is amended by
2 changing Section 6.23 as follows:

3 (210 ILCS 85/6.23)

4 Sec. 6.23. Prevention and control of Multidrug-Resistant
5 Organisms. Each hospital shall develop and implement
6 comprehensive interventions to prevent and control
7 multidrug-resistant organisms (MDROs), including
8 methicillin-resistant Staphylococcus aureus (MRSA),
9 vancomycin-resistant enterococci (VRE), and certain
10 gram-negative bacilli (GNB), that take into consideration
11 guidelines of the U.S. Centers for Disease Control and
12 Prevention for the management of MDROs in healthcare settings.
13 The Department shall adopt administrative rules that require
14 hospitals to perform an annual facility-wide infection control
15 risk assessment and enforce hand hygiene and contact precaution
16 requirements. Each hospital shall cooperate with the
17 Department to provide the information necessary to enable the
18 Department to compile the reports due under paragraph (2.5) of
19 Section 2310-312 of the Department of Public Health Powers and
20 Duties Law of the Civil Administrative Code of Illinois.

21 (Source: P.A. 95-282, eff. 8-20-07; 95-876, eff. 8-21-08.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.